

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEITH I. SCHORR, SUSAN SCHORR, :
in their own right and as personal :
representatives of the ESTATE OF :
RYAN K. SCHORR :

v. :

Plaintiffs, :

BOROUGH OF LEMOYNE, et al. :

Defendants. :

JURY TRIAL DEMANDED

HONORABLE YVETTE KANE

NO. 1:CV-01-0930

PLAINTIFFS' REPLY TO DEFENDANT
HOLY SPIRIT HOSPITAL'S
STATEMENT OF MATERIAL FACTS

FILED
HARRISBURG

MAR 25 2003

MARY E. D'ANDREA, CLERK
Per JK
DEPUTY CLERK

1-4. Admitted.

5. Admitted as stated. By way of further answer, defendant is the sole licensed "crisis intervention unit used to process involuntary commitments in Cumberland County, for which it receives funds from Cumberland County, undergoes audits by Cumberland County regarding its role in processing and commitments, and works under protocols and procedures promulgated by the County Department of Mental Health.

6. Admitted.

7-13. Admitted.

14. Admitted as stated. By way for further answer, Officer Graby subsequently left the ED, without authority, before plaintiffs' decedent was properly "processed."

15-18. Admitted.

19-20. Admitted as stated. By way of further answer, Highfield approached the room occupied by Schorr alone, without the presence of adequate security or other assistance, despite the

fact that Nurse Joerger, the departed Mr. Graby, and Dr. Spurrier had all noted him variously to be “psychotic,” “hallucinating,” “delusional,” “agitated,” “threatening” and possessed of a belief that he needed to leave the hospital immediately, to complete his “mission.”

21-23. Admitted as stated.

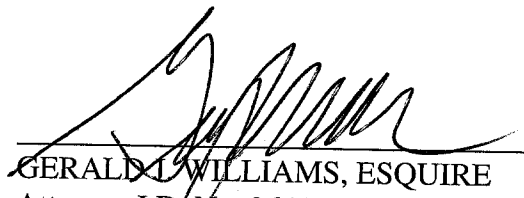
24. Admitted that all employees identified in this paragraph were qualified for the positions they held.

25-28. Admitted as stated.

29. Admitted. By way of further answer, no psychiatrists or members of Holy Spirit’s “red alert” team were called to the ED during Ryan Schorr’s stay there.

30-32. Admitted as stated.

Respectfully submitted,



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Dated: March 24, 2003

CERTIFICATE OF SERVICE

I, GERALD J. WILLIAMS, hereby certify that on this date I served a true and correct copy of the foregoing Plaintiffs' Reply to Defendant Holy Spirit Hospital's Statement of Material Facts by first class mail, postage prepaid upon the following counsel:

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Dated: March 24, 2003